

# **ECF NEWS**

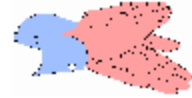
## **United States Bankruptcy Court District of Nebraska**

**Issue 2**

**September 2001**

### **CM/ECF FAIRS HUGE SUCCESS**

Nancy Gerlach, Training Committee Chairperson



The CM/ECF Training Committee would like to thank everyone who attended the ECF Fairs this summer. We received an enormous amount of interest and enthusiasm from all the attorneys and their staffs who attended. The fairs featured a glimpse of the program through the attorney tutorials, and lists of needed equipment were handed out along with several informational brochures.

The next event will be a presentation of a few items from the actual program at the State Bar Association meeting on October 18, 2001, at the Cornhusker Hotel in Lincoln, NE. The Bankruptcy Court's portion of the program will be conducted from 12:30 pm until 2:00 pm.

The ECF Training Committee has been hard at work developing training manuals. The committee hopes to be finished with them by the first part of November. Training for the trustees and our Attorney Advisory Committee members will begin the end of November into December, 2001.

The court plans to go live by January 2, 2002, and soon after that all attorneys and their staffs will begin to be trained. Please check our web site for future news.



### **FROM THE BENCH**

Timothy J. Mahoney, Chief Judge

The CM/ECF start date of early January, 2002, is getting closer and closer. To make certain that the local rules and procedures are in place by the start date, the Clerk's Office team that deals with proposed amendments to local rules will meet with me on October 2, 2001. We anticipate reviewing the current rules and discussing any significant changes in those rules which will be necessitated by the electronic case filing process. We know already that we will need new procedures for filing of claims, especially with regard to the documentary evidence usually attached to the proof of claim. Similarly, it seems to make sense to specifically provide for a limitation with regard to the documentary materials that need to be attached to various motions, such as motions for relief from the automatic stay. We hope to draft proposed rules on both subjects and provide them to the Attorney Advisory Committee within a short period of time.

Kathleen Laughlin, the Chapter 13 Trustee, has proposed a new Chapter 13 procedure in hopes of minimizing the material necessary to be filed with the court and in hopes that the numbers used by counsel for the debtor will also be used by the Chapter 13 Trustee to determine confirmability. At the present time, with the use of our "Motion to Confirm Plan," there is frequently a discrepancy between the numbers used by the debtor and the numbers used by the trustee. It would be of benefit to all parties, including the court, to use just one set of numbers and have that set of numbers be binding on all parties. The suggested changes submitted by the Chapter 13 Trustee will be reviewed at the meeting on October 2 and recommendations to the Attorney Advisory Committee will result.

Another proposed change would eliminate the requirement to submit proposed orders on uncontested matters. If the clerk determines that appropriate service has been accomplished, and no resistance is filed, the clerk, at my direction, would enter on the docket a statement, such as "Motion filed. Service made. No resistance filed. Motion granted." No separate order would be filed. If a party needed a specific order, for real estate sales or state court foreclosure proceedings, such an order could be submitted, preferably electronically, and it would be signed, electronically noticed, and filed. Such a process would eliminate the need for counsel to track the resistance date and submit orders, and eliminate the need for the judge to

electronically sign hundreds of orders per week. This procedure would not be applicable to all motions. For example, fee applications and disclosure statements would need orders. However, such orders could be prepared by the court, rather than submitted by the parties.

We will have a presentation on the electronic case filing system at the Nebraska State Bar Association on October 18. Please encourage all attorneys that practice in the bankruptcy court to attend the presentation and to bring any and all questions and concerns to the presentation.

I look forward to seeing you at the Bar Association Meeting and working with you on the implementation and perfection of CM/ECF in the District of Nebraska.

## **PROJECT PROGRESS**

Joint Project Managers Alice Smith and Cheryl Oliver

The CM/ECF Implementation Team from the Administrative Office was in Omaha August 21-23 for our court site visit. They are very pleased with the progress the court has made, we are on track with our projected deadlines. We had an overwhelming response by the Attorney Advisory Committee members and their support staff. Thanks to all of you who contributed.

The training committee met recently and has developed the training plan for the court. You will be contacted in the near future with the training dates, times, and location. The dictionary and work flow process committees are concentrating their efforts toward completing their scheduled deadlines for our projected "go live" date of January 2002.



## **PETITION SOFTWARE**

The following is a list of petition preparation software with versions currently available that are ECF compatible:

Bankruptcy 2001  
EZ Filing  
Best Case Solutions  
BK Plus

The following is a list of vendors who have indicated that their next release will be ECF compatible:

Collier Top Form  
West - Speciality Software, Chapt 7...13  
Fresh\$art  
bk tools  
Puritas Springs Software  
New Hope Software, Bankruptcy 2000  
Multimedia Abacus, Bankruptcy Esq.

If your petition software is not listed above, you may want to contact your software vendor to find out if future updates will be ECF compatible



## **CALENDAR OF UPCOMING ECF EVENTS**



October 11-12, 2001:

### **Train the Trainer:**

Train the Trainer involves training the court staff who will be training the internal users, external users, and trustees.

October 18, 2001:

**Trustees' Meeting:**

This meeting will begin at approximately 9:00 AM on October 18, 2001 in the US Bankruptcy Courtroom located in the Federal Building in Lincoln, NE. Those participating in this meeting are: Chief Judge Timothy J. Mahoney, the US Trustee's Office, the standing trustees, and the US Bankruptcy Court Training Committee. The meeting will address the standing trustees' concerns regarding CM/ECF.

October 18, 2001:

**Bar Association Meeting:**

This year, the Bar Association Meeting is being held in the Cornhusker Hotel in Lincoln, NE. The US Bankruptcy Court will be giving a presentation from 12:30 PM to 2:00 PM. During this time, the US Bankruptcy Court will have guest speakers and will present a demo of CM/ECF to the bar.